



Department of Defense Instruction^{MD(c)}

SUBJECT: ADP Software Exchange and Release

- References:
- (a) Assistant Secretary of Defense (Comptroller) Memorandum, "Governmentwide Policy on Release of Software, " September 5, 1973 (hereby canceled)
 - (b) DoD Directive 5100.40, "Responsibility for the Administration of the DoD Automatic Data Processing Program, " August 19, 1975
 - (c) DoD Regulation 5200.1-R, "Information Security Program Regulation, " December 1978, authorized by DoD Directive 5200.1, November 29, 1978
 - (d) through (k), see enclosure 1

A. PURPOSE

This Instruction incorporates the provisions of reference (a) and establishes uniform policies for the exchange and release of automatic data processing (ADP) software under the provisions of reference (b). It addresses release to other Government agencies and to domestic and foreign requesters.

B. APPLICABILITY AND SCOPE

1. The provisions of this Instruction apply to the Office of the Secretary of Defense, the Military Departments, the Organization of the Joint Chiefs of Staff, and the Defense Agencies (hereafter referred to as "DoD Components").

2. The following software is excluded from the provisions of this Instruction and cannot be released to the Federal Software Exchange Center (FSEC):

- a. Software classified under reference (c).
- b. Software that provides direct security protection to ADP equipment and data communications and to systems that process classified information.
- c. Software related to or associated with weapons, intelligence, command and control, communications, or tactical data systems, where release of the software would cause the weapon to be ineffective or would otherwise adversely affect national security.
- d. Software and associated documentation provided to Government agencies where the commercial contractor still has proprietary rights.

C. BACKGROUND

1. The Software Exchange Program was created by the General Services Administration (GSA) in FPMR 101-36.16 (reference (d)) to reduce the overall time and personnel costs of computer software development and acquisition throughout the Federal Government. The program provides for:

- a. Collection of common-use software information.
- b. Development, maintenance, and publication of a recurring listing of common-use software.
- c. Distribution of common-use software to authorized recipients to minimize the redevelopment of programs already tested and in use elsewhere.

2. To coordinate effectively the functions involved in the collection, processing, and dissemination of software, the FSEC has been established by GSA and is collocated at the National Technical Information Service (NTIS) of the Department of Commerce. The FSEC collects and catalogs summaries of Federal agency software. Agencies needing new software may search the catalog for an appropriate program, which the FSEC will acquire and furnish to the requesting agency, complete with documentation and user guides.

a. The FSEC releases software and associated documentation only to Federal agencies, State and local governments, cost-reimbursement contractors when the contracting officer so authorizes, and federally funded activities after the proper review to determine whether or not such activities are qualified to participate in the Software Exchange Program. The NTIS is chartered to provide software to the general public (domestic), foreign governments, organizations or individuals.' In the case of DoD software, when the Component authorizes public distribution, FSEC provides the software to the NTIS, which in turn sells the software and associated documentation. However, by agreement with DoD, NTIS will not sell to foreign governments, organizations, or individuals, or U.S. business firms for use in foreign contracts. In each case, release will be made directly by the DoD Component concerned as provided in paragraph D.5.c.

b. In all cases fees are charged by the FSEC to cover operational costs. In addition, reproduction and distribution costs are recovered by NTIS when it sells software to the general public.

3. When software is sold by the NTIS, it ensures that (a) the software shall not be published for profit or in any manner offered for sale to the Government; (b) the software shall not be sold or given to any other activity or firm without the prior written approval of the DoD Component concerned; (c) the Government owns the results if the software is modified or enhanced, using Government funds; and (d) the software package, if used in contracts with the Government, does not result in a charge to the Government.

4. For software listed in the quarterly FSEC catalog and requested by an agency, the FSEC will contact the contributing DoD Component to obtain the software and documentation.

D. POLICY AND PROCEDURES

1. DoD Components shall participate in the GSA Software Exchange Program by contributing common-use software to FSEC and by using existing software obtained through that program, when such use is cost effective.

2. As a general policy, subject to provisions of subsections D.3. and 5., DoD software shall be provided only to the FSEC if the software:

a. Deals with problems common and useful to other agencies, and is written in such a way that minor variations in requirements may be accommodated without significant programming effort. Such software includes, but is not limited to management and business applications, computer systems support and utility programs, simulators, scientific or engineering applications, programming aids that are application-independent, bibliographic or textual programs, and computer-assisted training.

b. Has been tested, is proven to be operational, and is maintained by or for a DoD Component.

c. Is properly documented to permit an understanding of the program's logic. Software applications shall be supported by appropriate documentation cited in DoD 7935.1-S (reference (e)) or its predecessor.

d. Is composed of stand-alone computer subroutines, programs, or subsystems that are not dependent on special or unique hardware options or software features, unless such options or features can be readily translated or simulated for hardware other than the original, and may be similarly useful on different hardware.

3. The following software shall be reviewed on a case-by-case basis and may be provided to FSEC when in the best interest of the Government:

a. Sensitive applications that require a degree of protection and automated decisionmaking applications, such as those that issue material or disburse funds. Arrangements shall be made for appropriate risk analysis, evaluation, and decision as to whether there is sufficient risk involved to preclude release of the software.

b. Software denoted For Official Use Only in accordance with DoD Instruction 5025.9 and DoD Directive 5400.7 (references (f) and (g)).

c. Software designed to protect personal privacy developed as a consequence of DoD Directive 5400.11 (reference (h)).

4. Subject to other conditions of this section, software that the Government has acquired under contract in accordance with DAR (reference (i)), with unlimited rights to use, shall be made available for release to the general public.

5. Requests made directly to the DoD Component for software shall be handled as follows:

a. Requests for software that are eligible to be provided to the FSEC and that have not been submitted previously shall be answered by a simultaneous submission of the software to the FSEC and a notification to the requester that the software will be available at the FSEC.

b. Requests for Government software under the provisions of DoD Directive 5400.7 (reference (g)) shall be subject to the following rules:

(1) Requests for software excluded under subsection B.2. shall be disapproved, citing applicable Freedom of Information Act exemptions.

(2) Requests for available software that are releasable under the Act shall be referred to the NTIS.

c. Requests for DoD software received from foreign governments, organizations, or individuals, or from U.S. business firms for use in foreign contracts shall be referred to the Assistant Secretary of Defense (International Security Affairs) (ASD(ISA)) for necessary clearance. The holding DoD Component, when provided clearance by the ASD(ISA), shall release the software directly to the requester. Software development costs, as well as other costs, shall be assessed by the contributing DoD Component in the sale of software packages to foreign governments, or to business firms having contracts with foreign governments in accordance with DoD Directive 2140.2 (reference (j)). All sales shall comply with the provisions of the Arms Export Control Act (1976) (reference (k)).

6. DoD Components shall not assume responsibility or liability for the operation of software except where its use is specified in a U.S. Government contract. DoD Components shall not assume warranty responsibility for its use outside the Department of Defense.

7. Software made available to other Government agencies, the general public for domestic use, foreign governments, organization, individuals, or business firms for use in foreign contracts shall be provided as documented and no change in or maintenance of documentation shall be undertaken by the contributing DoD Component.

8. Software interchange solely among DoD activities, DoD Components, or participants in a DoD-wide system (such as the Worldwide Military Command and Control System) may be handled outside the FSEC if more cost effective.

E. RESPONSIBILITIES

1. The Assistant Secretary of Defense (Comptroller), under the authority of DoD Directive 5100.40 (reference (b)), shall promote and publish standards and criteria for the interchange of software and associated documentation, consistent with the FPMR (reference (d)).

2. The Assistant Secretary of Defense (International Security Affairs) shall:

a. Process software release requests of foreign governments, organizations, individuals, or U.S. business firms that desire to use the software in foreign contracts.

b. Maintain liaison with the Departments of State and Commerce to determine the propriety of release of DoD Component software for overseas use.

3. The Heads of DoD Components shall:

a. Ensure the continual review of software to identify computer programs that could be of use to other DoD Components, Federal agencies, and the general public.

b. Arrange for determination of that software whose release would affect adversely national security or is otherwise sensitive and, therefore, should not be released to the FSEC.

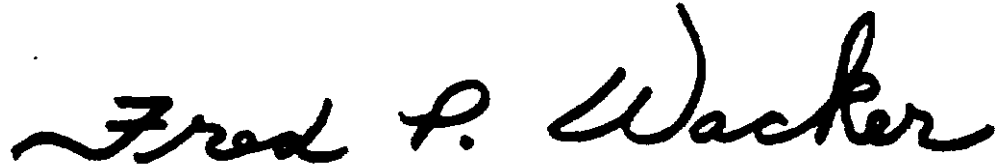
c. Submit summaries to the FSEC for eligible software in a timely manner. DoD Components shall pay particular attention to enclosure 2, item 24, since this entry will constitute the approval for public release (see enclosure 2).

d. Ensure that the software inventory maintained by the FSEC is screened before contracting for or developing new software.

e. Ensure that Freedom of Information Act requests for software are handled in accordance with DoD Directive 5400.7 (reference (g)).

F. EFFECTIVE DATE AND IMPLEMENTATION

This Instruction is effective immediately. Forward three *copies* of implementing documents to the Assistant Secretary of Defense (Comptroller) within 120 days.



Fred P. Wacker
Assistant Secretary of Defense
(Comptroller)

Enclosures - 2

1. References
2. SF 185, "Federal Information Processing
Standard Software Summary"

REFERENCES, continued

- (d) Federal Property Management Regulation (FPMR) 101-36.16 "Federal Software Exchange Program"
- (e) DoD Standard 7935.1-S, "DoD Automated Data Systems Documentation Standards," September 13, 1977, authorized by DoD Instruction 7935.1, September 13, 1977
- (f) DoD Instruction 5025.9, "Control and Protection of 'For Official Use Only' Information," February 1, 1968
- (g) DoD Directive 5400.7, "Availability to the Public of Department of Defense Information," February 14, 1975
- (h) DoD Directive 5400.11, "Personal Privacy and Rights of Individuals Regarding their Personal Records," August 4, 1975
- (i) Defense Acquisition Regulation, Section 9, Part 6, "Rights in Computer Software Acquired Under Contract"
- (j) DoD Directive 2140.2, "Recoupment of Nonrecurring Costs on Sales of USG Products and Technology," January 5, 1977
- (k) Arms Export Control Act (1976) Public Law 90-629, as Amended, Title 22, U.S. Code, Section 2751

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FEDERAL INFORMATION PROCESSING STANDARD SOFTWARE SUMMARY

1. Summary date Yr. Mo. Day [][] [][] [][]		02. Summary prepared by (Name and Phone)		03. Summary action New Replacement Deletion <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Previous Internal Software ID									
4. software date Yr. Mo. Day [][] [][] [][]		05. Software title		07. Internal Software ID									
5. Short title													
3. Software type <input type="checkbox"/> Automated Data System <input type="checkbox"/> Computer Program <input type="checkbox"/> Subroutine/Module		09. Processing mode <input type="checkbox"/> Interactive <input type="checkbox"/> Batch <input type="checkbox"/> Combination		10. Application area <table border="1"><thead><tr><th>General</th><th>Specific</th></tr></thead><tbody><tr><td><input type="checkbox"/> Computer Systems Support/Utility</td><td><input type="checkbox"/> Management/Business</td></tr><tr><td><input type="checkbox"/> Scientific/Engineering</td><td><input type="checkbox"/> Process Control</td></tr><tr><td><input type="checkbox"/> Bibliographic/Textual</td><td><input type="checkbox"/> Other</td></tr></tbody></table>		General	Specific	<input type="checkbox"/> Computer Systems Support/Utility	<input type="checkbox"/> Management/Business	<input type="checkbox"/> Scientific/Engineering	<input type="checkbox"/> Process Control	<input type="checkbox"/> Bibliographic/Textual	<input type="checkbox"/> Other
General	Specific												
<input type="checkbox"/> Computer Systems Support/Utility	<input type="checkbox"/> Management/Business												
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<input type="checkbox"/> Bibliographic/Textual	<input type="checkbox"/> Other												
1. Submitting organization and address				12. Technical contact(s) and phone									
3. Narrative													
4. Keywords													
5. Computer manuf'r and model		16. Computer operating system		17. programing language(s)									
18. Number of source program statements		9. Computer memory requirements		20. Tape drives									
21. Disk/Drum unite		22. Terminals		3. Other operational requirements									
4. Software availability Available Limited In-house only c l <input type="checkbox"/> • 1		25. Documentation availability Available Inadequate In-house only <input type="checkbox"/> <input type="checkbox"/> • 1											
6. FOR SUBMITTING ORGANIZATION USE													

INSTRUCTIONS

01. **Summary Date.** Enter date summary prepared. Use Year, Month, Day format: YYMMDD.
02. **Summary Prepared By.** Enter name and phone number (including area code) of individual who prepared this summary.
03. **Summary Action.** Mark the appropriate box for new summary, replacement summary or deletion of summary. If this software summary is a replacement, enter under "previous Internal Software ID" the internal software identification as reported in item 07 of the original summary, and enter the new internal software identification in item 07 of this form; complete all other items as for a new summary. If a software summary is to be deleted, enter under "Previous Internal software ID" the internal software identification as reported in item 07 of the original summary complete only items 01, 02, 03 and 11 on this form.
04. **Software Date.** Enter date software was completed or last updated. Use year, Month, Day format: YYMMDD.
05. **Software Title.** Make title as descriptive as possible.
06. **Short Title.** (Optional) Enter commonly used abbreviation or acronym which identifies the software.
07. **Internal Software ID.** Enter a unique identification number or code.
08. **Software Type.** Mark the appropriate box for an Automated Data System (set of computer programs). Computer Program, or Subroutine/Module, whichever best describes the software.
09. **processing Mode.** Mark the appropriate box for an Interactive, Batch, or Combination mode, whichever best describes the software.
10. **Application Area.**
General: Mark the appropriate box which best describes the general area of application from among:

Computer Systems Support/Utility Management/Business Scientific/Engineering	Process Control Bibliographic/Textual other
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Specific: Specify the sub-area of application; e.g.: "COBOL optimizer" if the general area is "Computer Systems Support/Utility"; "Payroll" if the general area is "Management/Business"; etc. Elaborate here if the general area is "other."
11. **Submitting organization and Address.** Identify the organization responsible for the software as completely as possible, to the Branch or Division level, but including Agency, Department (Bureau/Administration), Service, corporation, Commission, or Council. Fill in complete mailing address, including mail code, street address, city, state, and ZIP code.
12. **Technical Contact(s) and Phone:** Enter person(s) or office(s) to be contacted for technical information on subject matter and/or operational aspects of software. Include telephone area code. Provide organization name and mailing address, if different from that in item 11.
13. **Narrative.** Describe concisely the problem addressed and methods of solution. Include significant factors such as special operating system modifications, security concerns, relationships to other software, input and output media, virtual memory requirements, and unique hardware features. Cite references, if appropriate.
14. **Keywords.** List significant words or phrases which reflect the functions, applications and features of the software. Separate entries with semicolons.
15. **Computer Manufacturer and Model.** Identify mainframe computer(s) on which software is operational.
16. **Computer Operating System.** Enter name, number, and release under which software is operating. Identify enhancements in the Narrative (item 13).
17. **Programming Language(s).** Identify the language(s) in which the software is written, including version; e.g., ANSI COBOL, FORTRAN V, SIMSCRIPT 11.5, SLEUTH II.
- 18a. **Number of Source Program Statements.** Include statements in this software, separate macros, called subroutines, etc.
19. **Computer Memory Requirements.** Enter minimum internal memory necessary to execute software, exclusive of memory required for the operating system. Specify words, bytes, characters, etc., and number of bits, per unit. Identify virtual memory requirements in the Narrative (item 13).
20. **Tape Drives.** Identify number needed to operate software. Specify, if critical, manufacturer, model, tracks, recording density, etc.
21. **Disk/Drum Units.** Identify number and size (in same units as "Memory"—item 19) needed to operate software. Specify, if critical, manufacturer, model, etc.
22. **Terminals.** Identify number of terminals required. Specify, if critical, type, speed, character set, screen/line size, etc.
23. **Other Operational Requirements.** Identify peripheral devices, support software, or related equipment not indicated above, e.g., optical character devices, facsimile, computer-output microfilm, graphic plotters.
24. **Software Availability.** Mark the appropriate box which best describes the software availability from among Available to the Public, Limited Availability (e.g., for government use only), and For In-house Use Only. If the software is "Available", include a mail or phone contact point, as well as the price and form in which the software is available, if possible.
25. **Documentation Availability.** Mark the appropriate box which best describes the documentation availability from among: Available to the Public, Inadequate for Distribution, and For In-house Use Only. If documentation is "Available", include a mail or phone contact point, as well as the price and form in which the documentation is available, if possible. If documentation is presently "Inadequate", show the expected availability date.
26. **For Submitting Organization Use.** This area is provided for the use of the organization submitting this summary. It may contain any information deemed useful for internal operation.